

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Magseis FF LLC and )  
Fairfield Industries Incorporated d/b/a )  
Fairfield Geotechnologies )  
                              )  
Plaintiffs,              )  
                              )  
vs.                        )                  Case No. 4:17-cv-01458  
                              )  
Seabed Geosolutions (US) Inc. and )                  **JURY TRIAL DEMANDED**  
Seabed Geosolutions B.V.,         )  
                              )  
Defendants.              )  
                              )

**JOINT STATUS REPORT**

The parties jointly file this Status Report in accordance with the Court's Order of January 16, 2019 (Dkt. 115). Magseis has asserted four U.S. Patents in this case that have been the subject of various validity challenges brought by Seabed before the U.S. Patent and Trademark Office. Below is a brief status on each of the asserted patents:

**U.S. Patent Nos. 8,228,761 and 8,879,362 (the '761 and '362 Patents):** On November 5<sup>th</sup> and 6<sup>th</sup> of 2019, the Patent Trial and Appeal Board ("PTAB") issued a Final Written Decision in IPRs brought by Seabed finding all the asserted claims of the '761 and '362 Patents unpatentable. Magseis Appealed the decisions to the Federal Circuit Court of Appeals, and on July 29, 2021 the Federal Circuit issued an order affirming the PTAB's decision.

**U.S. Patent No. RE45,268 (the '268 Patent):** On November 26, 2019, the PTAB issued a Final Written Decision in an IPR brought by Seabed upholding the patentability of all the asserted claims of the '268 Patent. Seabed appealed this decision to the Federal Circuit Court of Appeals and on August 11, 2021 the Federal Circuit vacated and remanded the case back to the PTAB for further proceedings. The parties have completed briefing on remand before the PTAB and are awaiting a further decision by the PTAB on the patentability of certain claims.

**U.S. Patent No. 9,829,589 (the '589 Patent):** On March 26, 2021, in an appeal of an *ex parte* reexamination instigated by Seabed, the PTAB upheld the validity of claims 15 and 18-20 of the '589 Patent, while findings claims 1, 3-11, 13 and 14 of the '589 Patent unpatentable. Magseis did not appeal the adverse portion of this decision, and a reexamination certificate confirming the patentability of Claims 15 and 18-20 while cancelling claims 1, 3-11, 13 and 14 was issued on August 25, 2021.

The parties have conferred and agree that it would best to continue the present stay of litigation at least until remand proceedings before the PTAB with respect to the '268 Patent are completed.

Dated: January 14, 2022

/s/ Ruben J. Rodrigues

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Dated: January 14, 2022

*/s/ John R. Lane*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above document, JOINT STATUS REPORT was served on January 14, 2022, on all counsel of record via the Court's Electronic Filing System.

/s/ Ruben J. Rodrigues  
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